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S/N 10/772,048

**DEC 03 2004**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Jeffrey Salmanson et al.

Examiner: Jose V. Chen

Serial No.: 10/772,048

Group Art Unit: 3637

Filed: February 4, 2004

Docket: G&C 30870.1-US-C4

Title: MODULAR LOW COST PALLET AND SHELF ASSEMBLY

**CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that this correspondence is being filed via facsimile transmission to the U.S. Patent and Trademark Office on December 3, 2004.

By: *Victor G. Cooper*  
Name: Victor G. Cooper

**TERMINAL DISCLAIMER TO OBVIATE  
A DOUBLE PATENTING REJECTION**

E-Z Shipper Racks, LLC, a corporation organized and existing under the laws of the State of California, having its primary place of business at 31336 Via Colinas, Suite 101, Westlake Village, California 91362 in the State of California, represents that it is the owner of the entire right, title and interest in U.S. Patent Application Serial No. 10/772,048, filed February 4, 2004 and entitled MODULAR LOW COST PALLET AND SHELF ASSEMBLY, by virtue of our assignment recorded at Reel 013973, Frame 0622. Attached herewith is a Certificate Under 37 C.F.R. § 3.73(b) establishing E-Z Shipper Racks, LLC's right as assignee to take action.

E-Z Shipper Racks, LLC, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer, of U.S. Patent No. 6,722,292 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that it and U.S. Patent No. 6,722,292 are commonly owned. This agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors, or assigns.

In making the above disclaimer, E-Z Shipper Racks, LLC does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of the United States Patent No. 6,722,292, in the event that such issued patent expires for failure to pay a maintenance fee, is

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held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certification, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

For submissions on behalf of an organization (e.g. corporation, partnership, university, government agency, etc.), the undersigned (whose title is supplied below) is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, as the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date 12/3/04

By:   
Name: Jeffrey Salmannson  
Title: Managing Partner